

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HENRY SCHEIN, INC.,
Plaintiff,

v.

JENNIFER COOK,
Defendant.

Case No. 16-cv-03166-JST

ORDER RE EXPEDITED DISCOVERY

Re: ECF No. 21

The parties have submitted a joint stipulated expedited discovery plan in this trade secrets case. ECF No. 21. One evident purpose of the agreement is to allow the parties quickly to obtain the information they need to evaluate whether the case can be settled in the near term. See id. at 1 (“The expedited discovery is preliminary. It shall not prejudice the parties’ rights to conduct more fulsome discovery in the normal course should this case not resolve.”) The Court adopts the parties’ proposed stipulation as its order. See id. at 21-1 to 21-2.

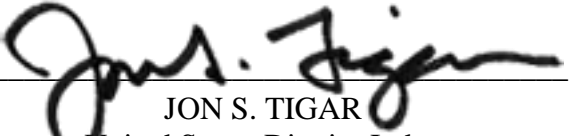
In their stipulation, the parties identify a dispute regarding Defendant’s deposition. Plaintiff seeks an order allowing it to conduct an additional session of that deposition “during regular discovery, should the case not resolve and that become necessary.” Id. at 2. Defendant asks that the Court prohibit Plaintiff in any subsequent session of her deposition from revisiting issues addressed in the first session. Id. at 3.

The Court will permit a later session of Plaintiff’s deposition if the case does not resolve. The Court will not now preclude Plaintiff at a later session of Defendant’s deposition from revisiting issues raised in the first session. Because discovery has not begun, it is not possible to know at this stage what information might later come to light as discovery progresses. The parties have done a commendable job of identifying the triage discovery they need to conduct settlement

1 negotiations. Not surprisingly, that includes Defendant's deposition. It is not possible for the
2 parties to know, or the Court to determine, at this point whether more comprehensive discovery
3 will reveal the need to revisit topics from the first session of Defendant's deposition. If necessary,
4 the parties can ask the Court to make that determination later on a fuller record.

5 IT IS SO ORDERED.

6 Dated: June 29, 2016

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8 JON S. TIGAR
United States District Judge

United States District Court
Northern District of California